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10/518,490	12/20/2004	Erich Litwing	016906-0361	5493
	7590 11/10/200 LARDNER LLP	EXAMINER		
SUITE 500		CORRIGAN, JOSEPH JAMES		
3000 K STREET NW WASHINGTON, DC 20007			ART UNIT	PAPER NUMBER
7710711707017, 20 20007			3744	
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			11/10/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Application No. Applicant(s) 10/518,490 LITWING ET AL. Office Action Summary

The MAILING DATE of this communication appears on the cover sheet with the correspondence address − Period for Reply A SHORTENED STANLEDRY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no ovent, however, may a retyle to timely filed - If No period for reply is specified above, the maximum statistic priori will apply and will explose X(i) MONTHS from the maining date of this communication. - Palms to reply within the set of extended period for reply will by statistic, priori will apply and will explose X(i) MONTHS from the maining date of this communication. - Palms to reply within the set of extended period for reply will by statistic, priori will apply and will see the maining date of this communication. - Palms to reply within the set of extended period for reply will by statistic, priori will apply and will be seen the maining date of this communication. - Palms to reply within the set of extended period for reply will by statistic, priori will be communication. - Palms to reply within the set of extended period for reply will by statistic, priority will be seen to the maining date of this communication. - Palms to reply within the set of extended period for reply will be seen the application in the communication. - Palms to reply will be set of the set of the set of the communication. - Palms to reply will be set of the set of the set of the communication. - Palms to reply within the set of the set	omoorionon cummary	Examiner	Art Unit						
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1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information-Disclosure-Submens(e) (PTO-95209) 5] Notice of Informati Patent Ass (scation)									
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2) Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date. 3) Information Disclosure Statement(c) (PTO/SZ/CS) 51 Notice of Informal Patent Application	_ ``	4) Interview Summary	(PTO-413)						
	2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Da	ate						
			atent Application						

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DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 19, 2008 has been entered.

Response to Arguments

- Regarding applicant's remarks regarding the Office Action Summary not giving application credit for properly submitted foreign priority requirements. Request is acknowledged and the accompanying Office Action Summary cures this deficiency.
- Regarding applicant's remarks regarding crossing out sections of the Information
 Disclosure Submission: all references cited on December 13, 2007 have been
 successfully entered into the record despite the appearance of misleading annotations.
- 4. Applicant's arguments, see Remarks, filed June 19, 2008, with respect to the rejection(s) of claims 19-20, 22-23, and 25 under 35 U.S.C. 102(b) under Tsunooka and with respect to claims 21 and 24 under 35 U.S.C. 103(a) as being unpatentable over Tsunooka in view of Bauer have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Tsunooka as cited below.

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Claim Rejections - 35 USC § 102

 The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

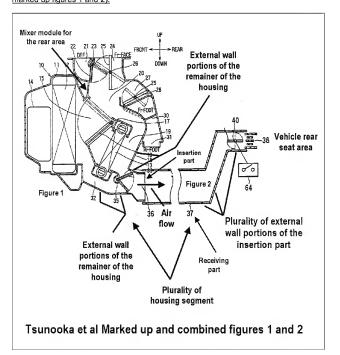
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- Claims 19-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Tsunooka '6.230.795'.

In re claim 19, Tsunooka et al disclose a heating and/or air conditioning system for a motor vehicle (see line 1 of abstract), said heating and/or air conditioning system comprising: a housing (11, figure 1) which comprises a plurality of housing segments (see marked up figures 1 and 2), wherein at least one of the housing segments is an insertion part (see marked up figures 1 and 2) which comprises at least one functional unit (10, figure 1), with at least one means for air conduction (37), a warm air feed (19, figure 1, warm air passage), a cold air feed (15, figure 1, cool air passage), at least one mixer valve (16, figure 1), or any combination thereof, wherein the insertion part (figure 1) can be inserted into a receiving space (see marked up figure 1 and 2) in the remainder of the housing of the heating and/or air conditioning system such that a plurality of external wall portions (see marked up figures 1 and 2) of the insertion part (figure 1) abutting and adjacent to external wall portions of the remainder of the housing (see marked up figure 1 and 2) form an exterior surface of the housing along with the

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abutting and adjacent external wall portions of the remainder of the housing (see marked up figures 1 and 2).



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In re claim 20, Tsunooka et al '795 disclose the invention above and further disclose that the functional unit (10, figure 1) is a mixer module (C2, L54-58) for a rear area (please note that the mixer module is supplying air to at least a rear area of the vehicle as shown in figures 1 and 2, and therefore meets limitation.)

In re claim 21, Tsunooka et al disclose the invention above and further disclose that the functional unit (10, figure 1) comprises at least one drive (68, figure 3, motor for driving the rotation shaft 17, see C5, L59-61) for the at least one mixing valve (see [damper] door 16 and the surrounding casing, figure 1).

In re claim 22, Tsunooka et al '795 disclose the invention above and further disclose that the insertion part (see marked up figures 1 and 2) is configured symmetrically to a longitudinal axis (front to rear, see figure 1 and 2).

In re claim 23, Tsunooka et al '795 disclose the invention above and further disclose that the insertion part (see marked up figures 1 and 2) is configured symmetrically to a longitudinal axis (front to rear, see figure 1 and 2).

In re claim 24, Tsunooka et al disclose the invention above and further disclose that the insertion part (see marked up figures 1 and 2) is configured symmetrically to a longitudinal axis.

In re claim 25, Tsunooka et al '795 disclose the invention above and further disclose the application of modular air conditioning modular system in a motor vehicle. (See abstract, line 1).

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Conclusion

 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph J. Corrigan whose telephone number is 571-270-3213. The examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisors are Cheryl Tyler or Frantz Jules on (571) 272-4834 or (571) 272-6681, respectively. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Joseph Corrigan/ Examiner, Art Unit 3744 11/9/08 /Cheryl J. Tyler/ Supervisory Patent Examiner, Art Unit 3744